

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	Criminal Action No.
v.	)	13-00108-02-CR-W-GAF
	)	
BARDOMIANO JUNGO,	)	
	)	
Defendant.	)	

**MEMORANDUM OF MATTERS DISCUSSED AND  
ACTION TAKEN AT PRETRIAL CONFERENCE**

Pursuant to the order of the Court en banc of the United States District Court for the Western District of Missouri, a pretrial conference was held in the above-entitled cause before me on April 17, 2014. Defendant Bardomiano Jungo appeared in person and with Assistant Federal Public Defender Travis Poindexter. The United States of America appeared by Assistant United States Attorney Justin Davids.

***I. BACKGROUND***

On April 3, 2013, an indictment was returned charging defendant with one count of conspiracy to possess with intent to distribute methamphetamine, in violation of 21 U.S.C. § 846. Co-defendant Jose Loaiza is scheduled to plead guilty on April 22, 2014.

The following matters were discussed and action taken during the pretrial conference:

***II. TRIAL COUNSEL***

Mr. Davids announced that he will be the trial counsel for the government. The case agent to be seated at counsel table is DEA Task Force Officer James Morgan.

Mr. Poindexter announced that he will be the trial counsel for defendant Bardomiano Jungo. Aimee Eddington will assist.

***III. OUTSTANDING MOTIONS***

There are no pending motions in this case.

***IV. TRIAL WITNESSES***

Mr. Davids announced that the government intends to call 6 to 10 witnesses without stipulations or 8 witnesses with stipulations during the trial.

Mr. Poindexter announced that defendant Bardomiano Jungo intends to call 2 witnesses during the trial. The defendant may testify.

***V. TRIAL EXHIBITS***

Mr. Davids announced that the government will offer approximately 26 exhibits in evidence during the trial.

Mr. Poindexter announced that defendant Bardomiano Jungo will offer approximately 8 exhibits in evidence during the trial.

***VI. DEFENSES***

Mr. Poindexter announced that defendant Bardomiano Jungo will rely on the defense of general denial.

***VII. POSSIBLE DISPOSITION***

Mr. Poindexter stated this case is definitely for trial.

***VIII. STIPULATIONS***

Stipulations are not likely.

***IX. TRIAL TIME***

Counsel were in agreement that this case will take 2 days to try.

***X. EXHIBIT LIST, VOIR DIRE AND INSTRUCTIONS***

The U. S. Magistrate Judge ordered:

That counsel for each party file and serve a list of exhibits he intends to offer in evidence at the trial of this case on the form entitled Exhibit Index and have all available exhibits premarked using the stickers provided by the Clerk of Court by April 17, 2014;

That counsel for each party file and serve requested jury voir dire examination questions by or before noon, Wednesday, April 23, 2014;

That counsel for each party file and serve, in accordance with the requirements of Local Rule 51.1, requested jury instructions<sup>1</sup> by or before noon, Wednesday, April 23, 2014. Counsel are requested to provide proposed jury instructions in both hard copy form, as required by Local Rule 51.1, and by e-mail to the trial judge's courtroom deputy.

***XI. UNUSUAL QUESTIONS OF LAW***

Motions in limine on the following issue will probably be filed by the defendant: 404(b) dealing with defendant's prior drug conviction. There are no unusual questions of law.

***XII. TRIAL SETTING***

All counsel and the defendant were informed that this case will be listed for trial on the joint criminal jury trial docket which commences on April 28, 2014. A Spanish-speaking interpreter is required. The parties request the second week of the docket.

/s/ Robert E. Larsen  
ROBERT E. LARSEN  
United States Magistrate Judge

Kansas City, Missouri  
April 17, 2014

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<sup>1</sup>Counsel in all cases assigned to be tried before Chief Judge Fernando Gaitan, Jr., as reflected in the forthcoming trial letter, shall meet and prepare a packet of agreed proposed jury instructions to be submitted to Judge Gaitan and e-mailed to marylynn\_shawver@mow.uscourts.gov and rhonda\_enss@mow.uscourts.gov by Friday, April 25, 2014. To the extent there are disagreements to certain instructions, each attorney shall tab and submit his or her preference on those instructions. The instructions shall be listed in the order they are to be given.